

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

OMAR TYRICK SHAW

v.

MICHAEL NUTTER; LOUIS GIORLA;  
and M. FARRELL

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CIVIL ACTION

No. 15-1209

**ORDER**

AND NOW, this 1st day of October 2015, having considered plaintiff's complaint, and for the reasons set forth in the accompanying memorandum of today's date, it is **ORDERED** that:

1. Plaintiff's complaint is **DISMISSED** for failure to state a claim under 28 U.S.C. § 1915(e)(2)(B)(ii).

2. Plaintiff's claims against defendants are **DISMISSED WITHOUT PREJUDICE**.

3. Plaintiff has leave to file an amended complaint by or before **NOVEMBER 2, 2015**.

4. If plaintiff files an amended complaint, he shall name all defendants in the caption and body of the amended complaint. If plaintiff fails to file an amended complaint, the court will dismiss this action.

5. The Clerk of Court shall not issue summons and the U.S. Marshals Service shall not make service of the summons and amended complaint until so ordered by the court.

6. The Clerk of Court shall **CLOSE** this action for statistical purposes.

/s/ Norma L. Shapiro

J.